

Collaboration to Promote Self Determination

Advancing Economic Opportunities for Citizens with Significant Disabilities

October 29, 2010

U.S. Senator Tom Harkin
Chairman, Senate Committee on Health, Education, Labor & Pensions (HELP)
United States Senate
SD-428 Dirksen Senate Office Building (Committee Staff)
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Washington, DC 20510
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Dear Senator Harkin:

As national organizations focused on improving the lives of citizens with significant disabilities, we want to take this opportunity to thank you for your continued leadership on behalf of the more than 54 million Americans currently living with a disability, including millions of people with intellectual and developmental disabilities. **As national partners of the Collaboration to Promote Self-Determination, we would like to take this opportunity to thank you for allowing us the opportunity to participate in the Disability Employment Summit that you hosted on September 14-15, 2010.**

The Collaboration to Promote Self Determination (CPSD) seeks innovative public policy reform to promote employment first policies, effective transition strategies, meaningful asset development, and strong long-term supports and services for citizens with intellectual and developmental disabilities. We are writing to express our interest in working with you and your staff on the development, introduction and passage of comprehensive, landmark legislation to change systems and create the infrastructure necessary to support meaningful employment opportunities for individuals living with significant disabilities.

We share your enthusiasm to ensure that all citizens living with significant disabilities have a plethora of opportunity to seek and gain meaningful employment in an integrated setting. We believe that all citizens with disabilities, including individuals with the most significant disabilities, are capable of being employed in integrated settings at the same wage levels as their non-disabled colleagues in similar positions. We were particularly pleased with the tentative agreement that was reached within the Working Group on Subminimum Wage and Supported Employment, which called for a **Federal commitment to increase and improve integrated employment outcomes for individuals with the most significant disabilities in through federal policies that will lead to a significant and systematic reduction in the dependence on subminimum wages.** Additionally, we support the introduction of greater enforcement measures to prevent abuse of existing federal law and ensure greater protections for citizens with significant disabilities.

In order to avoid the unintended consequence of discouraging and diminishing the hiring of people with significant disabilities, we urge policymakers to think and act holistically about the complex intricacies of current policy barriers, reimbursement structures and operational practices of service delivery systems that impede the ability of citizens with significant disabilities from gaining meaningful employment.

There is great innovation among some states to promote meaningful employment of people with significant disabilities, and any federal legislative proposals should incorporate support for expanding promising practices that are currently being illustrated by these states. These state case-studies demonstrate that given the right incentives, conditions, and strategies, states can significantly improve employment outcomes for individuals with significant disabilities. While modifications of the Fair Labor Standards Act (FLSA) are needed, it will not alone address the employment needs of citizens with significant cognitive, intellectual and developmental disabilities, who are too often restricted to limited choice and impoverishment. Furthermore, CPSD believes that employment is the first component towards advancing the economic security of citizens with significant disabilities, but it is only the beginning of one's journey toward economic advancement. Thus, federal policy reform agenda should not end there, and requires a fundamental shift in public policy that currently penalizes low-income citizens on public benefits who want to save or invest. The federal government must be committed to realigning publicly-financed systems in such a way that promotes income generation, savings and financial planning for individuals. As such, we recommend that Congress also develop legislation that increases the propensity of citizens with disabilities to participate in the economic mainstream by promoting asset development and savings; encourage citizens with disabilities currently on SSI/SSDI to work, earn and save without fear of jeopardizing critical public supports; and increase federal efforts to promote free tax preparation, asset development, and financial literacy services for citizens with disabilities.

We have attached for your review additional reflection and feedback from our collective thinking as a result of the Disability Employment Summit in the following three areas: supported employment services & subminimum wages; education & transition; and engagement of private sector employers and progressive service providers. We have also included our proposed revisions to the draft Employment First definitions and principles that were introduced and initially discussed during the small working group on supported employment services and subminimum wages. We are interested in engaging in more specific discussions over the fall related to CPSD's more comprehensive policy framework, which is focused on creating a holistic federal infrastructure to support the employment of people with significant disabilities through the promotion of Employment First policies across the country.

Thank you again for your leadership and consideration of our proposals. Citizens with complex intellectual, cognitive and developmental disabilities deserve more in the way of opportunities to live productive, economically self-sufficient, fulfilling lives in fully integrated community settings, and we as a country can do better to help support this vision. We look forward to working with you and your staff in the months and years ahead to develop the comprehensive, holistic policy reforms necessary to create a system of supports that we can all be proud of.

Sincerely,

Autism Society
Association of Professionals for Supported Employment (APSE)
Autism Self Advocates Network
National Disability Institute
National Down Syndrome Society
National Fragile X Foundation
National Disability Rights Network
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REFLECTIONS ON SEPTEMBER 2010 DISABILITY EMPLOYMENT SUMMIT

I. Supported Employment Services & Subminimum Wages

With respect to supported employment services (SES), the CPSPD has already developed a comprehensive package of legislative recommendations aimed at improving the outcomes resulting from the provision of SES in the context of reauthorization of the Rehabilitation Services Act. We are attaching an updated version of those recommendations as an appendix to this memorandum and as a reaffirmation of our ferocious commitment to ensuring that a strong package of reforms are included in the reauthorization of both the Workforce Investment Act and Rehabilitation Act.

In terms of the working group that convened to discuss supported employment services and subminimum wages, we believe that overall the discussion was a step forward and are encouraged by the rigorous dialogue that took place. As indicated in our cover letter, CPSPD partners were particularly pleased with the tentative agreement that was reached during the Working Group on Subminimum Wage and Supported Employment, which called for a **Federal commitment to increase and improve integrated employment outcomes for individuals with the most significant disabilities in through federal policies that will lead to a significant and systematic reduction in the dependence on subminimum wages.**

While we were appreciative of some of the broader discussion related to systemic reform that took place in the context of this working group on Day I of the Employment Summit, we were struck by the sheer lack of detailed recommendations around supported employment services (a key theme that the working group was tasked with addressing). Additionally, we wish to expand upon the topics that were summarized in the meeting notes to reflect a commitment in future discussions to have a more detailed conversation about the goal of reconceptualizing the role of supported employment services so as to ensure there is an expanded, and more effective use of SES to realize the aims of Employment First policy:

KEY OBJECTIVES THAT ARE ADDRESSED WITHIN CPSPD'S CURRENT REHAB ACT REAUTHORIZATION RECOMMENDATIONS:

1. **Multi-System Collaboration:** Identify and address pressure points within the implementation of VR that disallows state VRs from collaborating across systems toward a common goal of drastically improving integrated employment outcomes for citizens with significant disabilities.
2. **Reformation of Definitions:** The CPSPD recommends that the following reforms must be made to the definitions section of the Rehabilitation Act in order to ensure clarity in

the types of services that are provided, and the preferred outcome that is expected with the respect to the provision of such services.

- Expand the definition of SES to include activities of job seeking, job exploration, and job negotiation,
 - Modify the term “competitive, integrated employment” to become “integrated employment”: The continued inclusion of “competitive” in the term “competitive, integrated employment” is misleading because it is currently being misrepresented in some states that in order for a job placement to be reimbursed through supported employment services funding, the job has to be “competitive” in nature (meaning, the job had to be an advertised, pre-existing position, for which a person with a disability has successfully competed against other job seekers in a competitive hiring process. Many innovative strategies, including customized employment strategies (in which a completely new job is created out of a direct matching of an individual’s abilities, skills and interests with newly identified, unmet needs of an employer) are currently not being reimbursed in some states because the state VR is interpreting customized employment as not meeting the “competitive” standard required for VR reimbursement. This adversely and disproportionately impacts citizens with the most significant disabilities who could benefit the most from these innovative approaches. The term “competitive” originally was placed in the definition to specify an acceptable wage level; we believe that by including more specific language defining acceptable wage levels in the definition of an acceptable integrated employment outcome, use of the term “competitive” could be avoided, thus endorsing other approaches to facilitating employment for individuals with complex disabilities, including customized employment.
 - Add definition of customized employment strategies to allow access to employment services and supports for individuals who may not be able to compete for jobs on the open market (see CPSD’s recommended language).
3. **Presumption of Eligibility:** Modify current statutory language around presumption of eligibility to prevent state VR systems from deeming an individual ineligible for employment services, including prevention of such determinations through the inappropriate use of assessment.
 4. **Expansion of Assessment Process:** Expand the assessment process to allow a more customized approach to employment placement through discovery.
 5. **Funding Resources & Budget Implications:** Increase funding for supported employment for youth in transition to adulthood

RECOMMENDATIONS THAT REQUIRE FURTHER WORK AMONG CPSD AND COMMITTEE STAFF:

6. **Revisit Current Time Limits & Structure of SES:** Rebalance and increase VR funding so as to create more flexible, individualized, and realistic time limits set on the provision of SES, allowing for a sequencing of SES, a customization of the provision of SES (whether it be episodic or continual over time), that reflects the unique needs of the individual. This includes addressing challenges related to current Order of Selection policies being implemented by state VR agencies so that the most vulnerable individuals are protected and have ongoing access to SES and customized employment strategies.
7. **Require state VR agencies to conduct regular outreach to individuals in sheltered employment in order to help people transition into integrated employment.**
8. **Performance Measurement & Accountability:** Create a tiered incentives system to credit VR systems for the successful placement of the hardest to place individuals with significant disabilities into integrated employment, to include:
 - the establishment of a “partial closure” to reflect that someone has been successfully placed into a time-limited, integrated employment training or other integrated employment services aimed at preparing the individual for successfully pursuing the preferred outcome of integrated, supported employment, but recognizing that additional follow up is required in order to help the individual successfully transition into an integrated employment outcome within a reasonable timeframe from the point at which a partial closure is made.
 - Credit VR counselors for their involvement in successfully placing clients with the most significant disabilities in such a way that adequately captures any additional time or work effort involved on the part of the VR counselor so as to entice VR counselors to take all cases (even the hard-to-place individuals).
9. **Alignment of SES between VR and Medicaid-funded Long-Term Care:** Coordinate funding mechanisms and streamline SES processes with CMS
10. **Ensure provision of VR services, including but not limited to SES, for those individuals who actively pursue self-employment career paths:** Ensure that individuals who choose to pursue a career path through self-employment or individual entrepreneurship are still able to access SES as needed to successfully enter and sustain this self-determined, self-directed career path. Make sure that such a path is also included as a successful employment outcome.

The CPSD has provided a copy of its updated policy recommendations with respect to the reauthorization of the Workforce Investment Act and Rehabilitation Act. While we have not fully fleshed out several of the items listed above due to the complexities of the remaining issues we are bringing forth, we are deeply committed to working closely with Committee staff to craft specific legislative proposals for adequately tackling each of these core issues.

II. Education & Transition

It is the collective view of the CPSD that the most progressive, and thus productive, working group discussion that took place at the Disability Employment Summit was the working group focused on education & training, facilitated by RSA Director Lynnae Rutledge. We were particularly pleased with the working group's commitment to "Establish a coordinated, comprehensive approach to the investment of public resources that expands and improves the choices of youth with significant disabilities who are transitioning into adulthood to ensure the design and execution of an individualized plan aimed at securing meaningful post-secondary educational opportunities, career development and training, or supported employment in an integrated setting, and inclusion in the community setting through independent living and social engagement".

In particular, we'd like to call attention to several of the recommendations from the working group's discussion which we found to be particularly interesting and worthy of further discussion:

1. Create a new Social Security disability support program designed to replace SSI for eligible individuals with disabilities ages 14-28. Such a program should not be income-limited or require an individual to not work, but should provide benefits for the purpose of financing transition-related expenses, such as post-secondary education, employment support, assistive technology and other relevant expenses.
2. Consider the adoption of a Money Follows the Person program for integrated employment to move individuals currently in segregated and/or sub-minimum wage settings into integrated, competitive employment.
3. Allow Medicaid to pay private insurance premiums on either the individual market or within a group-based plan for working individuals with disabilities, so as to allow access to the private insurance market for this population while reducing Medicaid's health care costs and maintaining access to long term services and supports.
4. Double the budget of the vocational rehabilitation system, allocating the new dollars to the creation of a new employment support infrastructure geared specifically to the needs of transitioning students ages 14-28 (CPSD would particularly like to see this

increased funding go toward financing systems-change capacity grants, as discussed in the CPSD's recommendations for reauthorization of the Rehabilitation Act).

5. Build into the Elementary and Secondary Education Act a requirement for school districts to meaningfully collaborate with, including through the braiding of funds, vocational rehabilitation and intellectual disability/developmental disability agencies. This should mirror collaboration requirements already present for vocational rehabilitation systems within the Rehabilitation Act.
6. Introduce a new element to the accountability infrastructure in the Elementary and Secondary Education Act tracking student post-secondary outcomes one, three and five years after leaving the school system, disaggregated on the basis of disability status, income, race and English Language Learner status. Utilizing appropriate steps to ensure the privacy of identifying information, track this data on the school, district and state levels.

In addition to these recommendations, the CPSD has spent the past 18 months crafting comprehensive legislation that attempts to create a holistic, comprehensive, seamless transition system at all levels of government for youth transitioning to adulthood, with a primary focus on individuals with significant disabilities. Several of the CPSD's recommendations were introduced and discussed during this working group's exchange. As such, we respectfully offer the following policy recommendations that could conceivably be incorporated into a comprehensive legislative package focused on national systemic change aimed at producing successful transition outcomes for youth with significant disabilities.

CPSD has developed a detailed set of recommendations aimed at streamlining various legislative statutes in an effort to transform the federal response to the effective transition of youth with significant disabilities. CPSD has developed these recommendations based upon the following focused objectives:

1. **Focus on the Individual:** Streamline local transition process through the development of person-centered Individual Transition Plan (ITPs) that ensures that students exiting the school system are being effectively transitioned into programs and supports that are linked to producing an integrated employment outcome or a post-secondary educational opportunity that will likely result in an integrated employment outcome in the long-term. Such a process must:
 - Be based on person-centered planning and self-determination principles;
 - Adhere to the Guideposts for Success outlined by the National Collaborative on Workforce & Disability for Youth/Institute for Education Leadership, focused on improving opportunities for youth with significant disabilities in each of the four phases of transition related to career assessment, career exploration, career practice, additional educational opportunities, and connecting activities.

- Provide support to the student and family whose responsibility will be to help them understand and connect to the complex systems and rules that will affect their decisions regarding the post-22 outcome.
 - Require representatives from key adult services agencies to participate in the planning and funding of the individual's transition goals through the blending and braiding of funds to support the young adult in his/her chosen outcome.
 - Assist individuals and families in making informed decisions about available supports, resources, opportunities and benefits.
2. **Focus on Systemic Reform:** For individuals with I/DD, develop the infrastructure and capacity within the state I/DD divisions to ensure the successful implementation of the ITP.
3. **Focus on Improving Outcomes:** Escalate use of evidence-based best practices to ensure successful transition planning, services and supports for youth with significant disabilities related to achieving the preferred outcomes of integrated employment at minimum and prevailing wages, or alternatively post-secondary educational outcomes leading to integrated employment and minimum and prevailing wages, through the establishment of a National "Better Outcomes in Transition among Youth with Significant Disabilities" Initiative.

The Collaboration to Promote Self Determination has been working for the past 18 months with Members of Congress to craft a comprehensive package of legislation that attempts to tackle the ambitious objectives laid out above. The Transition toward Excellence & Achievement Mobility Act (TEAM Act) could provide a framework to the Senate HELP Committee as it begins to build a platform for improving the transition and employment opportunities for citizens with significant disabilities. Appendix II provides a brief outline of the CPSP's legislative proposals related to TEAM. Draft legislative language is also available upon request of Committee staff.

III. Engagement of Private Sector Employers & Providers of Progressive Employment Placement Services

We applaud the Senator's interest in actively engaging the private sector early in the discussions around the development of comprehensive disability employment legislation. We would respectfully urge the Senator to include employers of various sizes who have successfully embraced individuals with the most significant cognitive, intellectual and developmental disabilities into their workplaces, either through the implementation of effective supported employment services or the deployment of customized employment strategies for these individuals. CPSP will submit list of these dynamic, innovative employers for the Committee's consideration in upcoming dialogues under separate cover.

Additionally, the CPD it is imperative to involve pioneers of innovative models that lead to effective hiring and sustaining of employees with significant disabilities in integrated employment settings where the ratio of employees with disabilities and employees without disabilities are proportional to the local population. Recent media has focused primarily on national employers who have increased employment opportunities of individuals with significant disabilities through the promotion of enclaves or segregated employment settings. While these models have certainly created opportunities for citizens with significant disabilities, we would encourage a firm discussion of strategies that have resulted in the consistent, effective placement of individuals with the most significant disabilities into the general workforce in integrated settings.

A further point which we believes require further consideration is that little has been done in the way of ensuring that affirmative action policies include disability. There currently exists no federal regulations that require or guide employers to include disability in affirmative action policies. Beyond a need for federal regulations, the Equal Employment Opportunity Commission should collect data on those employees who voluntarily report their disability status. The Justice For All Action Network (JFAAN) recently provided specific non-legislative recommendations to the Obama Administration on how to address this issue, and we believe these recommendations may have application to the development of a comprehensive legislative framework to promote the employment of citizens with significant disabilities as well. JFAAN's policy recommendations are available in its report to the Obama Administration dated September 1, 2010.

APPENDIX I:

EMPLOYMENT FIRST PRINCIPLES

The **Employment First** is a service delivery strategy regarding the use of public funding for persons with disabilities, including persons with the most significant disabilities, which effectuates on a systemic basis the principles set out below. The strategy supports the primary or preferred employment outcome of integrated employment at minimum and prevailing wages for persons with disabilities including those with the most significant disabilities. The strategy includes the issuance and implementation of policies, practices, and procedures promulgated through federal and state statutes, regulations, and/or operational procedures, including policies, practices, and procedures requiring that systems have a statutory responsibility to provide services that align their reimbursement practices, policies and guidance to incent, encourage and fund services and supports that lead to integrated employment.

1. Disability is a natural part of the human experience that in no way diminishes the right of individuals with disabilities, including individuals with the most significant disabilities, to achieve the four goals of disability policy—equality of opportunity, full participation, independent living and economic self-sufficiency.
2. Self-determination and informed consumer choice are essential elements in all programs and service options related to employment.
3. Employment, or work for pay, is a valued activity both for individuals and society. Employment provides both tangible and intangible benefits. Employment helps people achieve independence and economic self-sufficiency. Employment also gives people purpose, dignity, self-esteem, and a sense of accomplishment and pride.
4. All individuals, including individuals with the most significant disabilities, should enjoy every opportunity to be employed in the workforce, pursue careers, advance professionally, and engage actively in the economic marketplace.
5. Individuals with disabilities, including individuals with the most significant disabilities, should be empowered to attain integrated employment with the highest possible wage with benefits, consistent with their interests, strengths, priorities, abilities, and capabilities.
6. It is presumed that all individuals with disabilities, including individuals with the most significant disabilities, can achieve integrated employment with appropriate services and supports.

7. Employment-related training services and supports should be provided to assist individuals with the most significant disabilities to become employed with a priority for integrated employment. Other employment activities and training (including prevocational services), while existing, shall be directed toward integrated employment for all citizens with disabilities.
8. Based on information from the employment marketplace, services and supports related to the provision of employment and training should target areas of present and future workforce growth. Input from employers and knowledge of the marketplace is critical to effectively direct employment-related training and services.
9. Service providers are expected to use best, promising, emerging practices with respect to the provision of employment-related services and supports.
10. Technical assistance should be available to service providers for the purpose of expanding and improving their capacity to provide supported employment, customized employment, and other services and supports that will enhance opportunities for integrated employment consistent with best, promising and emerging practices.
11. Supports should be provided for as long as needed, with a focus on the use of naturally- occurring supports.
12. The prioritization of integrated employment must reflect an establishment of infrastructure and resource allocations that coordinates multiple systems through an alignment of common objectives, targeted outcomes, performance measures and funding mechanisms while simultaneously ensuring a seamless delivery of supports and services at an individual level.
13. Exploitation of workers with disabilities is abhorrent and workers should enjoy meaningful and effective protections against exploitation.

TERMS OF INTEREST:

Integrated Employment: From an individual perspective, integrated employment is “work compensated at minimum and prevailing wages with related health and employment benefits, occurring in a typical work setting where the employee with the disability interacts or has the opportunity to interact continuously with non-disabled co-workers, has an opportunity for advancement and mobility and is preferably engaged full-time.

[**PLEASE NOTE:** The continued inclusion of “competitive” in the term “competitive, integrated employment” is misleading because it is currently being misrepresented in some states that in order for a job placement to be reimbursed through supported employment services funding, the job has to be “competitive” in nature (meaning, the job had to be an advertised, pre-existing position, for which a person with a disability has successfully competed against other job seekers in a competitive hiring process. Many innovative strategies, including customized employment strategies (in which a completely new job is created out of a direct matching of an individual’s abilities, skills and interests with newly identified, unmet needs of an employer) are currently not being reimbursed in some states because the state VR is interpreting customized employment as not meeting the “competitive” standard required for VR reimbursement. This adversely and disproportionately impacts citizens with the most significant disabilities who could benefit the most from these innovative approaches. The term “competitive” originally was placed in the definition to specify an acceptable wage level; we believe that by including more specific language defining acceptable wage levels in the definition of an acceptable integrated employment outcome, use of the term “competitive” could be avoided, thus endorsing other approaches to facilitating employment for individuals with complex disabilities, including customized employment.]

Work: From a systemic perspective, work provides both tangible and intangible benefits that enable people with disabilities to have a sense of purpose, dignity, self-esteem, accomplishment, and pride. Work can help people with disabilities achieve independence and economic self-sufficiency. It is the presumption that individuals with and without disabilities should take every opportunity to pursue careers, participate in the workforce and engage actively in the economic marketplace. Both the individual and society benefit from this engagement.

Self Determination: Self-determination activities as referenced in the DD Act include: activities that result in individuals with developmental disabilities, with appropriate assistance, having –

- (1) the ability and opportunity to communicate and make personal decisions;
- (2) the ability and opportunity to communicate choices and exercise control over the type and intensity of services, supports, and other assistance the individual receives;
- (3) the authority to control resources to obtain needed services, supports, and other assistance;

- (4) the opportunities to participate in, and contribute to, their communities; and
- (5) the support, including financial support, to advocate for themselves and others, to develop leadership skills, through training in self-advocacy, to participate in coalitions, to educate policymakers, and to play a role in the development of public policies that affect individuals with developmental disabilities.

[PLEASE NOTE: While CPSD generally agrees with the two definitions outlined for self-determination and informed choice, in subsequent legislative efforts undertaken by CPSD in recent months that have involved Leg Counsel, we have been challenged with the fact that these definitions as currently written do not translate well to legislative language. Thus, we offer the following modified versions of each definition, which can then be used in the context of draft legislative language in a number of venues and current policy discussions. The alternative definition offered for self determination is identical to the legislative language in the DD Bill of Rights Act.]

Informed Choice: a decision-making process that includes but is not limited to the following elements –

- (1) provision of adequate information to the individual and individual's parents about the full range of options that are to be considered;
- (2) sufficient resources (personnel as well as fiscal) to support the choice made by the individual and individual's parents;
- (3) willingness of any provider of services to accept the choice and the reasonable risks associated with the choice; and
- (4) information on the parameters of the choice and the relevant options being considered in the language and capabilities of the individual involved in the choice making process(es).

Informed choice in the provision of public supports requires publicly-financed systems to assure the provision of:

- (1) Accurate information in accessible formats
- (2) Support to interpret, understand and utilize the information provided
- (3) Support to assist the person with disabilities:
 - a. Understand relevant information
 - b. Communicate his or her choice
 - c. Understand and appreciate the nature of the issue or situation and the consequences of the choices made.
 - d. Comprehend the risks and benefits of the decisions made.

APPENDIX II:

Transition toward Effective Achievement & Mobility: Key Legislative Proposals

OBJECTIVE:

To establish a coordinated, comprehensive approach to the investment of public resources that expands and improves the opportunities for youth with significant disabilities who are transitioning into adulthood, to ensure meaningful postsecondary educational opportunities, employment in integrated settings at minimum and prevailing wages, long-term career development and growth, and inclusion in the community setting through independent living and social engagement, and for other purposes.

DEFINITIONS OF INTEREST:

- Asset Development
- Asset Development Services
- Braiding of Funds
- Customized Employment Strategies
- Disability
- Employment First
- Family Organization
- Informed Choice
- Integrated Employment
- Integrated Setting
- Self-Advocacy Organization
- Supported Employment Services
- Self-Determination
- State Intellectual/Disability Authority
- Transition
- Transition Services
- Work

FINDINGS:

(1) Disability is a natural part of the human experience and in no way should diminish the opportunity of citizens with disabilities, including individuals with the most significant disabilities, for full participation in society (including but not limited to school, work, family, social engagement, interpersonal relationships, and community), independent living and economic self sufficiency.

(2) Self-determination and informed choice are essential elements in all program and service options.

(3) Work for pay (employment) is a valued activity both for individuals and society. Employment provides both tangible and intangible benefits. Employment helps people achieve independence and economic self-sufficiency. Employment also gives people purpose, dignity, self-esteem, and a sense of accomplishment and pride as well as an ability to contribute to society as a whole.

(4) Individuals with disabilities, including those with the most significant disabilities, should enjoy a presumption that they can achieve integrated employment with appropriate services and supports.

(5) More than thirty (30) years of research and experience demonstrates that all youth, including youth with disabilities, achieve better outcomes when they have access to high quality standards-based education in an inclusive setting; information about career options and exposure to the world of work, including structured internships; participation in post-secondary education; opportunities to develop social, civic, and leadership skills; strong connections to caring adults; access to safe places to interact with their peers; and support services and specific accommodations to allow them to become independent adults.

(6) The diverse and complex needs of today's youth cannot be met by one's family, school district, government program, or private organization acting alone. The successful transition of all youth to adulthood and a productive, independent, self-sufficient life demands coordination and collaboration across agencies, along with an integrated services approach to serving youth at the federal, state, and local levels.

PURPOSES

(1) Create a systemic focus on cultivating the high expectations for youth with significant disabilities to transition successfully into adulthood and be able to work, earn a liveable wage, and live independently in the community through public policies that advance equality of opportunity, informed choice, employment first, and economic self-sufficiency.

(2) Promote innovative strategies to foster academic, professional, and social inclusion, and the solidification of long-term services and supports required to ensure full integration into the society (including but not limited to school, work, family, social engagement, interpersonal relationships, and community living).

(3) Better define and coordinate specific services related to the effective transition of youth with significant disabilities.

(4) Eliminate barriers and provide incentives for multiple stakeholders to collaborate and improve transition services for youth with significant disabilities.

(5) Create a holistic system across multiple federal, state & local public entities promoting employment first strategies and the successful transition of youth with significant disabilities into adulthood through strengthened coordination among and between public entities,

including but not limited to the alignment of planning processes, implementation systems and funding streams.

(6) Align, enhance, and improve performance and accountability measures among public entities involved in the transition of youth with significant disabilities into adulthood.

(7) Provide financial incentives to States to align their planning processes across and within public entities involved in transition, strengthen & coordinate regulations to ensure cross-agency emphasis on the promotion of Employment First policies and practices, and re-balance resources toward an Employment First paradigm, focused on the preferred outcomes of advancing integrated employment, economic self-sufficiency, independent living and community participation for youth and adults with significant disabilities.

(8) Ensure proper level of professional development training of publicly-financed professionals involved in the transition of youth with significant disabilities into adulthood on evidence-based promising practices.

KEY LEGISLATIVE PROPOSALS

I. Focus on Strengthening Existing IEP Process in the Educational System to Ensure Greater Focus on Desired Transition Outcomes:

A. Intent: *Enhance and improve current transition strategies and practices through the IEP process for youth with significant disabilities eligible for DD Services currently in the educational system.*

B Proposed Strategies

1. Require transition services provided to youth with significant disabilities to adhere to the Guideposts for Success outlined by the National Collaborative on Workforce & Disability for Youth/Institute for Education Leadership, focused on improving opportunities for youth with significant disabilities related to career assessment, career exploration, career practice, additional educational opportunities, and connecting activities.
2. Elevate performance indicators related to the inclusion of transition strategies within Individual Educational Plans (IEPs) as outlined in IDEA-2004 to the same level of importance as compliance indicators.
3. Require DD State agencies to be a mandated partner fully participating in the IEP process from age 16.
4. Clarify that school districts are allowed and encouraged to use IDEA discretionary funds for contracting out transition services as needed, based on stringent criteria that these contracts be focused on the preparation and confirmation of integrated employment or other desired post-secondary outcomes.

5. Provide additional funding to state and local educational agencies to hire internal transition coordinators specifically focused on coordinating and implementing transition strategies for youth with significant disabilities.

C. Authorization Statute: Individuals with Disabilities Education Act

II. Focus on Creating Effective Person-Centered, Individualized Transition Process for Young Adults Transitioning from Secondary Education into the Adult Services System

A. Intent: *Develop a person-centered, individualized transition process for all young adults with significant disabilities once they exit the school system.*

B. Proposed Strategies

1. Individualized Transition Process will be led by the State DD Agencies and comprised of a multi-agency team of educators, adult service providers, transition brokers, individuals and families that will lead to real work experiences, career exploration and other preparatory activities resulting in a final outcome of either integrated employment or post-secondary education.
 - The transition process will be based on person-centered planning and principles of self-determination.
 - Creation of Individual Transition Plans (ITPs), via a multi-agency collaboration led by the State Division on Developmental Disability Services, which will be evaluated annually.
 - Require representatives from key adult services agencies to participate in the collaborative planning and funding of the individual's ITP in order to support the young adult in his/her chosen outcome.
2. Establishment of mandatory Adult Transition Services Divisions under the State DD Agencies. Part of the infrastructure will include the provision of a transition broker to the individual and family through the State Division on Developmental Disability Services, whose responsibility will be to help individuals and their families understand and connect to the complex systems and rules that will affect their decisions regarding the post-22 outcome.
 - The Transition Broker will be responsible for convening the various multi-agency stakeholders required participate in the Individualized Transition Planning process, thus working across agencies to create a plan and individualized budget that meets the individual's post-22 transition goals.
 - The Transition Broker will also be held accountable and evaluated to ensure that individuals are given multiple options for successfully attaining their post-22 transition goals, and that final decisions related

to the ITP are made by the individual and their family based on informed choice.

- This work will involve knowledge of asset development, as well as expertise in benefits management and navigating available public and private resources and supports.

C. Authorization Statute: DD Bill of Rights Act

III. Focus on Improving Outcomes through Building Capacity

A. Intent: *Escalate use of practices that have effectively demonstrated successful transition planning, services and outcomes for youth with significant disabilities through the establishment of a “Better Outcomes for Young Adults with Significant Disabilities” National Transition Initiative.* Provide states across the country with funds for a five-year period to target youth with significant disabilities transitioning from special education to ensure that they achieve employment outcomes such as integrated employment, self-employment, supported and customized employment services, paid internships or participating in postsecondary education, including enrollment in Transition and Post-secondary Education as authorized in the Higher Education Opportunity Act.

B. Proposed Strategies: Redesign and implement public policy that transforms the practice and delivery of supports and services to ensure that students with significant disabilities transitioning from school become employed integrated settings and earn at least minimum wage, or are enrolled or attending an appropriate post-secondary program intended to lead to an integrated employment outcome. Strategies utilized to achieve these outcomes should include general education elementary and secondary classes with supports and services; school-based preparatory experiences, career preparation and work-based learning experiences, youth development and leadership, self-advocacy training and self-determination skill building and peer mentoring.

C. Authorizing Statute: Rehabilitation Act

APPENDIX III:

CPSD's Policy Recommendations for Reauthorization of the Workforce Investment Act

APPENDIX IV:

CPSD's Policy Recommendations for Reauthorization of the Rehabilitation Act